

Minutes  
PARKS AND RECREATION BOARD  
November 28, 1978

The Parks and Recreation Board met for its regular meeting at 7:30 p.m., Tuesday, November 28, 1978, at the Austin Parks and Recreation Department. Present were Mr. Garrison, Chairman; Mr. Hall, Vice Chairman; Mr. Bray, Secretary; and members Mrs. Arnold, Mr. Coffee, Ms. Dominguez, Mr. Britton, Mr. Nalle, Mr. Ramos, Mr. Shaw and Ms. Stockard. Members absent were Mrs. Isely and Mr. Rose. Members Emeritus absent were Mr. Coates and Mrs. Crenshaw. Staff members present were Leonard Ehrler, Mike Segrest, Roy Guerrero, Dorothy Nan McLean, Dan Wilson, Cliff Warrick, Jo Bright, Crystal Stewart, and Louise Nivison. Visitors included Mr. James R. Schultz from Triad Engineering; Col. Lawson Magruder from the Military Order of World Wars; Mrs. Betty Brown from the Barton Hills-Horseshoe Bend Neighborhood Association; Mr. Lannis Kircus, Mr. Paul Woodward and Mr. Larry Steinman representing the Zilker Park Railroad, Inc.; Mr. Dick Halsted from the Construction Management Department; and Craig Bell from the Planning Department.

The meeting was called to order at 7:30 p.m., by Mr. Garrison, Chairman.

Mr. Garrison asked for approval of the minutes of October 24, 1978. It was moved by Mr. Nalle and seconded by Mr. Bray that the minutes be approved as printed. The motion carried unanimously. Mr. Garrison asked for approval of the minutes of November 13, 1978. It was moved by Mrs. Arnold and seconded by Mr. Shaw that the minutes be approved as printed. The motion carried unanimously.

CITIZEN COMMUNICATIONS

Mr. Garrison asked Mrs. Betty Brown to speak under Citizen Communications. Mrs. Brown stated that she was a member of the Barton Hills-Horseshoe Bend Neighborhood Association and wanted to bring to the attention of the Board proposed zoning changes at the southern extreme end of MoPac. This zoning item is on the City Council agenda for Thursday, November 30, 1978. The area started at the western entrance to Zilker Park and extended 7,000 feet. The area consisted of 108 acres and covered 8 tracts. Their association was concerned about tracts 4 and 9 as they abutted Barton Creek and the Barton Creek Greenbelt. Tract 4 was proposed to be rezoned from 1A to GR and Tract 9 was proposed to be rezoned from 1A to BB. Within the last two weeks a Citizens for Protection of Zilker Park and Barton Springs group had been formed. Rezoning of Tract 4 would permit construction of a shopping center. The center would be 160,000 sq. ft. with 864 parking spaces, and with driveways, sidewalks, etc., the area would be 90% impervious cover. This would cause an extreme water runoff into Barton Creek and Barton Springs Pool. Water quantity could be controlled by City ordinance but the water quality could not be controlled. The pollutants in the water would be great. All of this land has recently been annexed and the Edwards Aquifer recharge zone runs underneath this property. The proposed shopping center would only be 1,000 feet from the west end of Zilker Park. Mrs. Brown stated that the neighborhood group felt this was too much development too soon. MoPac will probably not be completed for approximately three years. The Austin Transportation Study has recommended that density be kept to a minimum along MoPac. Mr. Garrison

asked if the Parks and Recreation Department staff had done a study of the matter. Mr. Segrest stated that the Parks and Recreation Department staff had reviewed the proposal several months ago and had sent their comments back to the Planning Commission through the Planning Department. They had pointed out, that without detail plans the department could not say exactly what impact the construction would have on the park. They did say that the zoning change, per se, was neither bad or good in terms of its impact on the park. Mrs. Brown stated that she had a letter from the Environmental Board stating they disapproved the projects on Tracts 4 and 9 for environmental reasons.

After further discussion, it was moved by Mr. Bray and seconded by Mrs. Arnold that the proposed rezoning of Tracts 4 and 9, Case No. C-14-78-105 has been brought to the attention of the Parks and Recreation Board and the Board is very concerned about the impact on Zilker Park, Barton Creek Greenbelt and Barton Springs Pool. The Parks and Recreation Board requests that the City Council, in whatever action is taken on the zoning request, allow the Parks and Recreation Board and the Parks and Recreation Department staff, to review the impact of the proposed development and advise the City Council of any adverse affects that should be addressed before implementation of the project. The motion carried unanimously.

#### ITEMS FROM BOARD MEMBERS

Mr. Britton asked about the Capital City Youth Basketball Association program. Mr. Ehrler explained that the Parks and Recreation Department staff, Austin Independent School District staff and Capital City Youth Basketball Association staff were working on the problem and it should be resolved very soon.

It was moved by Mr. Hall and seconded by Mr. Bray that the December 26, 1978, meeting be cancelled. It was agreed that the tour meeting for December 11, 1978, be changed to a business meeting at the Parks and Recreation Department at 12:00 noon.

Mrs. Arnold asked about an orientation session for new board members. It was agreed that such a session would be set up soon.

#### SCULPTURE FOR ROSEWOOD PARK

Mr. Garrison stated that the first item on the agenda for action was consideration of approval of a sculpture of Mrs. U. V. Christian to be placed in Rosewood Park. Dr. Cecil Wright stated that she was the chairperson of the Mrs. U. V. Christian Committee of the National Association for the Advancement of Colored People. Dr. Wright showed a scale model of Mrs. Christian and explained that Mrs. Christian had been a long time resident of Austin. She had been an activist, a business person and an educator. She had operated a business and established the Crescent Foundation in Austin. She had also been a strong advocate of civil rights in Austin. For these reasons they had chosen to commemorate Mrs. Christian for her work and would like to place the sculpture in Rosewood Park. Dr. Wright explained that the sculpture would be approximately 10' tall and be constructed of cement. Mr. Ehrler explained the art work had been approved by the Arts Commission.



It was moved by Mr. Shaw and seconded by Mr. Britton that the Parks and Recreation Board recommend acceptance of a sculpture of Mrs. U. V. Christian to be placed in Rosewood Park. Mr. Ehrler explained the exact location for the sculpture had not been agreed on. Dr. Wright stated that they were hopeful that it could be placed in the log cabin area of the park. Mr. Ehrler stated that the Parks and Recreation Department would like to work with the committee in choosing the site for the placement of the sculpture. Mrs. Arnold asked when the sculpture would be completed. Dr. Wright stated that hopefully, it could be completed and in place by June 19, 1979, and the N.A.A.C.P. would raise the funds for the construction and placement of the sculpture. The motion carried unanimously.

#### MEMORIAL MONUMENT IN WATERLOO PARK

Mr. Garrison stated that the next item for action was consideration of approval of a site for a memorial monument in Waterloo Park. Col. Lawson W. Magruder, Jr., stated that he represented the Military Order of the World Wars and they wanted to give to the City of Austin a monument dedicated to the memory of the young men who lost their lives in the Viet Nam War. To date they have 88 confirmed names. The monument would be 8' tall and inscribed with the names of the men. Col. Magruder stated that they wanted all citizens to participate and the Savings and Loan Association in Austin has agreed to be the collecting agent for the contributions and would turn the funds over to the Parks and Recreation Department to be used for the project. They had received an estimate for the monument of \$7,000 f.o.b., and they would prefer site #1 in Waterloo Park.

After further discussion, it was moved by Mr. Nalle and seconded by Mr. Ramos that the Parks and Recreation Board recommend to the Mayor and City Council, that they allow the Military Order of the World Wars to purchase and install a monument in memory of Viet Nam War veterans, to be located in the southwest area of Waterloo Park off East 12th and Trinity Streets. The motion carried unanimously.

#### ZILKER PARK RAILROAD

Mr. Garrison stated that the next item for action was consideration of the Zilker Park Railroad proposal. Mr. Lannis Kircus stated that a proposal had been submitted to the Board and he would be happy to answer any questions concerning the proposal. Mr. Bray stated that he had a problem with granting an extension of the contract prior to knowing who was interested in purchasing the concession. He felt the concept of keeping private enterprise involved in the activity and granting them sufficient time to invest their money and amortize the costs is an excellent proposal. He would not be prepared to vote in favor of the extension of the contract until the Board had an opportunity to know the name of the proposed purchaser and what that person might be prepared to do and why 15 years was needed as opposed to 25 or 10 years. Mr. Kircus stated that they were prepared to answer all the questions and this was the reason they had advertised for investors. Potential investors were told that any investor would have to be approved by the City before anything could be done. Mr. Woodward, real estate broker, had letters of intent from interested purchasers. Mr. Kircus stated that Mr. Ehrler had

wanted the Parks and Recreation Department to be able to inspect facilities and be sure they were kept in good order.

Mr. Bray stated that essentially they were looking for two guidances, (1) is the City interested in private enterprise entering into the activity or would the City prefer taking it over or seeing it done away with; (2) if private enterprise is to stay involved, is the Board generally willing to look at an extended term as a condition to having a new transferee coming in. Mr. Kircus stated that they would like permission from the Parks and Recreation Board to seek investors and that if an investor is approved, to know that the City is willing to renegotiate the contract. Mr. Bray asked if they were selling a renegotiated contract or the present rolling stock and equipment, as is and where it is. Mr. Kircus stated they had the rolling stock, equipment and concession, but the City virtually had every option and could do whatever they wished in renegotiating the contract. The City, as far as the equipment was concerned, could buy the concession or tell them to get off the property. The equipment has no real value to them or anyone else except there in Zilker Park and no one was willing to put money into the project without a contract. Mr. Bray stated that it was one thing for the Board to assist them or the City in obtaining a fair price for the concession where it is, but it was a different thing for the Board to provide them a vehicle through a contract extension whereby they could traffic in a City franchise for a profit. He felt the latter was not what they had in mind. Mr. Kircus stated that ultimately the concession agreement with the City was a part of the sale. Mr. Bray stated that the problem could be approached by letting them run interference and find a good operator or the Board could do it themselves. The advantage of the City doing it is that everything that is spent would be spent for the City's benefit. Mr. Kircus stated that the disadvantage would be that they would be telling them they wished to take over the railroad.

Mr. Garrison asked Mr. Ehrler for staff recommendation. Mr. Ehrler stated they did not think it the best interest for the City, for the Parks and Recreation Department to get into the railroad business. Historically, it has been a good concession and they would like to extend the concession. They did know that the equipment is in pretty bad condition and at this point needs to be upgraded and the staff recommendation was, that if possible, to take the contract and extend to another owner, providing the new owner would upgrade and enhance the equipment. Mr. Kircus stated that the present owners were old and unable to keep up the equipment as it should be and neither could they operate the proper number of hours. All of the prospective buyers have been made aware that the City will require an annual inspection and that the equipment must be upgraded to the satisfaction of the Parks and Recreation Department and are willing to comply with all requirements. Mr. Nalle asked if they had a buyer at a stated amount. Mr. Woodward stated that they did have a buyer for \$180,000. Mr. Nalle stated that if indeed they had a buyer at an agreed price, would it not be more straightforward for the Parks and Recreation Board, for Mr. Kircus to enter into a tentative contract with his buyer, contingent on the buyer coming to the City of Austin and negotiating his own contract. Mr. Kircus stated no, that they would not be able to get any purchaser to agree to only a two year contract, which was the balance of the present contract. Mr. Nalle stated that he was saying that if the owners would sell, that the purchaser negotiate the contract and then consum-



mate the sale after the contract has been negotiated with the City. Mr. Kircus stated that if people come in and buy from them subject strictly to approval of the City, it would be the same thing as for them to sell their stock which could be done without approval of the City. Mr. Bray stated that in his opinion, the Board should not approve any extension of a contract except to a new operator. Mr. Bray stated that he would be interested in knowing what the prospective buyer is paying for the rolling stock and equipment, as is, where it is, and what is he paying for the assurance of being there for 15 years. Mr. Kircus stated the owners were entitled to sell the contract as a part of the agreement. Mr. Bray stated this was what he would oppose in negotiating a 15 year contract with his client. Mr. Kircus stated that they had the rolling stock and equipment and two years in which to make some kind of decision. If they could not get someone to pay \$180,000 for the rolling stock, irrespective of the type of contract, then their options were to take the rolling stock off and the City would have no contract. The City could not replace the equipment for the amount of money they were asking. Mr. Nalle asked for the names of prospective buyers. Mr. Woodward stated that Mr. Gregory L. Daily was the primary prospective buyer and Mr. Kenneth Percy was the second.

Mr. Ehrler stated that any action the Board took would be in conjunction with the Legal Department and having them review the proposal. Mr. Kircus stated that the owners would be selling the concession rights to which they are entitled, but it would be for 2 or 15 years. Mr. Bray stated that the concession was for a 20-year period to this point, during which period of time the original investors have recovered theoretically, all of their investment and a profit, and this is precisely what they bargained for. On the other hand the equipment was worth something where it is, and it was worth more where it is than if they removed it. The City should be perfectly willing to have Mr. Kircus' buyer receive an equivalent amount if the City wants to stay in the business. Mr. Bray stated that he personally felt the City should stay in the business and by private enterprise. He felt the \$180,000 represented one-third in the rolling stock and equipment and two-thirds in the 15-year extension. Mr. Woodward stated that on September 12, 1978, an appraisal was done in the amount of \$182,193. This appraisal was done on the equipment as it is right now. Mr. Bray stated that if this was the case, then he was sorry for his statements. Mr. Woodward explained that one new train engine today costs \$150,000. Mr. Bray stated that if their buyer was willing to pay \$180,000 and come to the Parks and Recreation Board and work out something on a contract, was this what Mr. Kircus wanted. Mr. Kircus stated that it would be easier for them to sell if they had a 15-year contract to show for their debt retirement plan.

After further discussion, it was moved by Mrs. Arnold and seconded by Mr. Coffee that the Parks and Recreation Board accept the philosophy that the Zilker Park Railroad remain a private enterprise. The motion carried unanimously. Mr. Hall asked if the City received a concession fee. Mr. Kircus stated that it was 10% of the gross. After further discussion, Mr. Garrison asked that the subject be placed on the agenda for December 11, 1978, that a representative from the Legal Department be asked to attend the meeting, and that the appraisal and letter of intent from prospective buyers be placed in the agenda.

CAPITAL IMPROVEMENTS PROGRAMS

Mr. Garrison stated that the next item for action was consideration of approval of preliminary design and environmental considerations report for Pleasant Valley Softball Complex; Martin Park Athletic Field Lighting; and L.B.J. High School Tennis Facilities. After a presentation by Parks and Recreation Department staff, the following motions were made:

1. It was moved by Mr. Hall and seconded by Mr. Britton that the Parks and Recreation Board recommend approval of layout #2 and lighting alternate #3 in the amount of \$509,780 for the Pleasant Valley Softball Complex C.I.P. This proposal would include 2 softball fields, a flag football field and two (2) 80-yard football fields with a backstop for each softball field; dugouts with fencing and benches; lighting and controls; sprinkler system; spectator stands with concrete pads beneath them; drinking fountains; one rest room and two parking lots. The motion carried unanimously.
2. It was moved by Mr. Bray and seconded by Mr. Ramos that the Parks and Recreation Board recommend approval of the Parks and Recreation Department staff recommendation to reject all alternates for the Martin Park Athletic Field Lighting C.I.P., and apply for additional Housing and Community Development funding in the amount of \$52,000. The motion carried unanimously. It was pointed out that only \$38,000 was available and all alternates had been higher than this figure. It was felt that it would be better to apply for additional Housing and Community Development funds in order to light the field with the proper foot candles.
3. It was moved by Mr. Bray and seconded by Mr. Hall that the Parks and Recreation Board recommend approval of alternate #2 for the lighting of the L.B.J. High School Tennis Facilities; the construction of a tennis pro shop and resurfacing of the courts and transferring \$30,000 from the Caswell Tennis Center Improvements Project for a total of \$147,000. The motion carried unanimously. The lighting would provide for an installation using 1000 watt high pressure sodium floodlights.

LAKE AUSTIN MANAGEMENT PLAN

Mr. Craig Bell was present from the City Planning Department and asked that the Parks and Recreation Board appoint a committee that he could work with on the Lake Austin Management Plan. Recommendations could be brought before the Board at a later date. Mr. Garrison appointed Mrs. Arnold, Mr. Nalle, Miss Dominguez and Mr. Coffee to work with Mr. Bell and the Parks and Recreation Department staff.

LOWERING OF LAKE AUSTIN

Mr. Garrison stated the next item for action was consideration of request to lower Lake Austin. Mr. Segrest stated that several inquiries had been received concerning lowering the lake. He wanted to point out that aquatic weed harvesting had been cut from the budget and the Parks and Recreation Department would not be cutting on Lake Austin next summer and for a natural kill it was better to lower the lake during cold weather. After further discussion, it was



moved by Mr. Hall and seconded by Mr. Shaw that the Parks and Recreation Board ask the Parks and Recreation Department staff to proceed with securing cost figures to lower Lake Austin and report back to the Board at the December 11th meeting.

BOND ELECTION

Mr. Garrison stated that a City bond election has been set for January 20, 1979, and it was important that the Board support the bond election. The Board must be vocal in their support and talk to civic groups, business associates, and friends. After further discussion, Mr. Bray stated that the Parks and Recreation Board go on record as totally supporting the Capital Improvements Program bond election and that Mr. Hall coordinate efforts for Board members to speak to various groups. Mr. Garrison asked if there would be any objection to having a Parks and Recreation Department staff member present to give information. Mr. Ehrler stated that any staff member would be available. Mr. Garrison asked if the Parks and Recreation Department staff could supply the Board with the revised Capital Improvements Program and the three-year bond packet.

Mr. Ehrler reminded everyone of the Christmas tree lighting at 6:30 p.m., on Sunday, December 3, 1978.

The meeting adjourned at 10:45 p.m.